

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARACELI MENDEZ GUTIERREZ, individually and on
behalf of all other persons similarly situated,

Plaintiff,
-v-

BRAVO PIZZA ENTERPRISES, INC., THE BIG SLICE
OF NEW YORK, LLC; and MICHAEL LIBRETTA,
jointly and severally,

Defendants.

ARACELI MENDEZ GUTIERREZ, individually and on
behalf of all other persons similarly situated,

Plaintiff,
-v-

MOHAMMAD BASEL ETELL,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>12/14/18</u>

17 Civ. 1280 (PAE)

ORDER

17 Civ. 10088 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

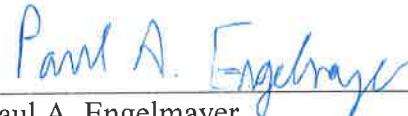
On December 7, 2018, the parties, having reached a settlement in this Fair Labor Standards Act (“FLSA”) and New York Labor Law action, submitted a joint motion to dismiss, Dkt. 63, and a memorandum of law in support of the settlement with various attachments, Dkt. 64.¹ The attachments include: the signed proposed settlement agreement, Dkt. 64-1 (“Agreement”); the time sheet for plaintiff’s counsel, Dkt. 64-2; and a list of case costs, Dkt. 64-3. The Court has carefully reviewed the Agreement and concludes that the Agreement was

¹ Unless otherwise noted, all citations to “Dkt.” refer to the docket in 17 Civ. 1280.

achieved through procedurally fair means and is fair and reasonable such that it satisfies the standards set forth in *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015).

Accordingly, the Court approves the Agreement. The Court hereby dismisses 17 Civ. 1280 with prejudice as to the claims against defendants Bravo Pizza Enterprises, Inc.; the Big Slice of New York, LLC; and Michael Libretta. The Court also dismisses 17 Civ. 10088 without prejudice as to the claims against Mohammad Basel Eltell. The Court respectfully directs the Clerk of Court to terminate the motion pending at Dkt. 9 in 17 Civ. 10088 and Dkt. 63 in 17 Civ. 1280, and to close this case.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: December 7, 2017
New York, New York